



DEED 2009113645



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Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
10/21/2009 13:30:36.13



2009113645

CORPORATE WARRANTY DEED

The Grantor, The City of Omaha, a municipal corporation, in consideration of One Dollar (\$1.00) and other valuable consideration receipt of which is hereby acknowledged, conveys to RFP Residential, LLC, a Nebraska limited liability company, Grantee, the following described real estate (as defined in Neb. Rev. Stat. 76-201 in Douglas County, Nebraska:

Lot 3, inclusive, RIVERFRONT PLACE REPLAT 1, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska (the "Phase II Project Area").

The Grantor covenants with Grantee that Grantor:

- (1) Is lawfully seized of such real estate and that it is free from all encumbrances, subject to the Permitted Exceptions listed on Exhibit "A";
- (2) Has legal power and lawful authority to convey the same; and
- (3) Warrants and will defend the title to the real estate against the lawful claims of all persons.

THE CITY OF OMAHA, NEBRASKA

Imprinted Seal

By:

Name: Jim Suttle
Title: Mayor

ATTEST:

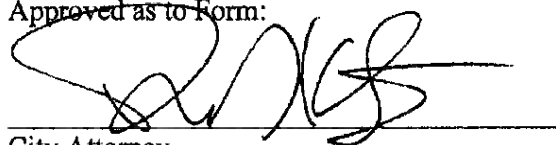
Bonnie Brown
City Clerk

Date: October 15, 2009

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Approved as to Form:

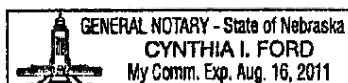


City Attorney

Date: 10/16/09, 2009

STATE OF NEBRASKA)
) ss:
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me on October 15, 2009, by Jim Suttle, who is Mayor of the City of Omaha, Nebraska, on behalf of the City of Omaha.





Notary Public

My Commission Expires:

8/16/2011

Return to:

Michael D. Matejka
Woods & Aitken LLP
10250 Regency Circle, Suite 525
Omaha, NE 68114

PERMITTED EXCEPTIONS

1. Easement Agreement recorded April 11, 2002 in Book 1434, Page 164; provided, however, that the 20' Drainage and Storm Sewer Easement located on Lot 3 and described in the Easement Agreement shall not be a Permitted Exception.
2. City Ordinance No. 35543 and Redevelopment Agreement pursuant to the Gallup University Riverfront Development Plan among the City of Omaha, Nebraska, Douglas County, Nebraska, and Riverfront Developers, LLC dated April 19, 2001.
3. City Ordinance No. 35894 recorded April 14, 2003 in Book 1510, Page 68; provided, however, that the 20' Drainage and Storm Sewer Easement located on Lot 3 and described in the City Ordinance shall not be a Permitted Exception.
4. Redevelopment Covenants recorded July 31, 2003 as Instrument No. 2003-144737, and First Amendment to Redevelopment Covenants recorded February 22, 2005 as Instrument No. 2005-019185; provided, however, that any restriction against multiple-family residential use or any use permitted as a "Permitted Use" in the City of Omaha Commercial zoning district, set forth in Section 55-363 of the Omaha Municipal Code, as adopted, amended, and in effect from time to time, shall not be a Permitted Exception.
5. Easements shown on Plat recorded April 10, 2002 in Book 2207, Page 564; provided, however, that the 20' Drainage and Storm Sewer Easement located on Lot 3 and shown on the Plat shall not be a Permitted Exception.
6. Easements shown on Plat recorded June 24, 2003 as Instrument No. 2003-122302.
7. Notice of Environmental Remediation Activity recorded June 16, 2004 as Instrument No. 2004078291.
8. Easements shown on Plat recorded September 21, 2004 as Instrument No. 2004124790.
9. Partial Release of Drainage and Storm Sewer Easement filed August 14, 2006, as Instrument No. 2006092634.
10. Easement Agreement by and between The City of Omaha, Nebraska and Riverfront Partners, LLC filed July 1, 2005 as Inst. No. 2005062740 in the office of the Register of Deeds of Douglas County, Nebraska.
11. Declaration of Redevelopment Covenants filed June 1, 2005 as Inst. No. 2005062742 in the office of the Register of Deeds of Douglas County, Nebraska.
12. Release and Termination of Reacquisition rights filed June 22, 2005 as Inst. No. 2005071941 in the office of the Register of Deeds of Douglas County, Nebraska.

13. Easements as shown on the Administrative Minor Plat of Riverfront Place Replat 1 filed November 26, 2008 as Inst. No. 2008113532 in the office of the Register of Deeds of Douglas County, Nebraska provided, however, that the 20' Drainage and Storm Sewer Easement located on Lot 3 and shown on the Plat shall not be a Permitted Exception.